

## **REMARKS**

This Amendment and the following remarks are intended to fully respond to the Office Action dated January 13, 2005. In that Office Action, claims 1-25 were examined, and all claims were rejected. More particularly, claims 1-12 are rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 22-25 were rejected under 35 U.S.C. §101 because the claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. Claims 1-25 were rejected under 35 U.S.C. §103(e) as being anticipated by Schwartz et al (hereinafter Schwartz), US 6,473,609. Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claims 1, 2, 7, 11-13, 17 and 21 are amended and claims 22-25 are cancelled herein. New claims 26-29 are added herein. Therefore, claims 1-21 and 26-29 remain present for examination.

### **Claim Amendments**

Claims 1, 2, 7, 11-13, 17 and 21 are amended herein to more particularly claim the present invention. Specifically, the claims are amended to point out that the claimed properties in independent claims 1 and 13 are user interface display properties that affect how content is displayed on the target device as discussed in the application on page 7, lines 15-22, among other places. Claim 17 is amended to claim clearly an embodiment that the tags in the page file identify a server object and at least one value for a user interface display property for that server object associated with a device type. The remaining amended claims are amended to be consistent with the claim from which they depend.

Claims 1, 2, 7, 11 and 12 are further amended to remove the word "type" and more distinctly point out that each target device is associated with a device class that is

used to determine what property values are used when generating content for the target device.

New claims 26-28 are added herein and are directed at the specific types of user interface display properties as disclosed on page 7, line 15 to page 9, line 2. New claim 29 further claims an embodiment in which each property is a property of a server object in the object hierarchy already claimed in claim 9.

Claims 22-25 are cancelled herein. Applicants reserve the right to prosecute the subject matter of these in a future continuing application.

#### **Claim Rejections - 35 U.S.C. § 112**

Claims 1-12 were rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants herein amend claims 1, 2, 7, 11 and 12 to remove the word “type” and more distinctly point out that each target device is associated with a device class that is used to determine what property values are used when generating content for the target device. Applicants believe this renders claims 1-12 definite and respectfully request the Examiner to withdraw this rejection of the claims.

#### **Claim Rejections - 35 U.S.C. § 101**

Claims 22-25 were rejected under 35 U.S.C. §101 because the claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized.

Claims 22-25 are cancelled herein and therefore this rejection is moot. Applicants reserve the right to respond to this rejection if and when the cancelled claims are prosecuted in the future.

#### **Claim Rejections - 35 U.S.C. § 102**

Claims 1-25 were rejected under 35 U.S.C. §102(e) as being anticipated by Schwartz et al (hereinafter Schwartz), US 6,473,609. Applicants respectfully traverse

this rejection. Applicant does not admit that Schwartz is prior art and does not waive his right to swear behind the patent at a later date. Applicant nonetheless believes that the present invention is distinguishable over Schwartz.

Schwartz discloses a system that reduces the overall amount of data needed to transmit content from a server to a target device. See, Abstract. The specific problem addressed by Schwartz was that of reducing the amount of computing power needed on a mobile device. See, col. 2, lines 11-15 (“There is, therefore, a great need for a solution that enables mobile devices to freely access information on the Internet without providing these computing resources in the mobile devices.”) Schwartz solved this problem by creating a compact data format (as in col. 2, lines 59-62 “the control engine communicates with an interface engine using a compact data format that is efficiently transportable in the wireless data network”) and also by mapping universal resource locators (URLs) with address identifiers to reduce the amount of text (col. 3, lines 5-9 “The link server device replaces universal resource locators in the incoming message with address identifiers, and manages an address table mapping each universal resource locator with an address identifier.”). Schwartz notes that these URLs are not displayed content to the user, but are hidden data associated with some displayed user interface element. See, col. 13, line 66 to col. 14, line 2 (“[E]ach of the menu items in the original HTML file is associated with a numeral that corresponds to a resource locator in the card containing the menu items.”).

The system in Schwartz is designed to not change the content, only to transmit it more effectively to the target device and remove the “wordiness” inherent in markup language pages. Schwartz specifically states that content in an original file in a markup language are converted into a more compact data structure which, when displayed on the mobile device, results in the display of the same content. See, col. 9, lines 29-36 (“Therefore, an HDML file received is first analyzed by message digester 316 and then converted through converter 318 into a set of screen commands that cause a mobile device, upon receiving the screen commands, to display the contents in the HDML file according to the screen commands.”). Furthermore, Schwartz’s system performs the same conversion regardless of the target device.

The present invention, on the other hand, is directed at how and what content is displayed on the target device. To achieve this, properties are used in a specially-written page file to allow choices about how and what content is displayed – these choices are made based on the device that is to ultimately display the content. As discussed on pages 7-9 of the application, some properties can be used to have different image files displayed on different devices while other properties may change the font or type of user interface control (i.e. a radio button or a text box) displayed.

Schwartz does not teach or disclose the elements of claim 1

Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."). Applicants submit that not all of the elements in claim 1 as amended are shown or described in Schwartz.

Claim 1 includes several elements that Schwartz does not teach or disclose. Specifically, Schwartz does not teach or disclose a page file that includes choices for user display properties of the content as now claimed. In Schwartz, the page file is a standard HTML, HDML, or other markup language file with no special attributes. See, e.g., Summary of Invention. Schwartz even discloses an exemplary markup language page file (col. 9, lines 4-15) which is shown in rendered form in FIG. 5A. Applicants point out that the exemplary markup language file in Schwartz contains no choices for user display properties of the content as claimed. Furthermore, there is no discussion in Schwartz of any markup language files that are in any way written to provide choices based on what type of device the markup language file will be written on.

In addition, Applicants point out that Schwartz makes the same conversion regardless of the type of display device. While Schwartz does disclose identifying the display device, this identification has no effect on the actual conversion being performed and is only used for account authentication and communication protocol purposes. See, e.g., col. 8, lines 12-42 describing the exact contents and uses for device IDs. Schwartz does not teach or disclose doing a different conversion for different device IDs nor does

Schwartz disclose displaying different content on different devices based a device type as now claimed.

Schwartz does not teach or disclose evaluating the choices in the page file as now claimed. The Examiner cited col. 15, line 65 to col. 16 line 7 as anticipating this limitation of claim 1. However, that section in Schwartz is directed to choices made by a user for additional content and is unrelated to evaluating user interface display properties of content as now claimed. Applicants point out that the choices made in the claimed invention are automatically made based on the device class and are not user selections as described by Schwartz.

For at least the reasons given above, Applicants believe that claim 1 as amended is not anticipated by Schwartz. Therefore, Applicants respectfully request the Examiner withdraw his rejection and find claim 1, and its dependent claims 2-12, in a condition for allowance.

Schwartz does not teach or disclose the elements of claim 13

Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."). Applicants submit that not all of the elements in claim 13 as amended are shown or described in Schwartz.

Specifically, Schwartz does not teach or disclose “compiling the page to create a class for the target device” as now claimed. In Schwartz, there is no discussion of classes or object-oriented programming at all. Furthermore, there is no discussion of compiling any programming objects that correspond to specific mobile devices. All of the programming elements in Schwartz are device independent.

Furthermore, Schwartz does not teach or disclose instantiating a class “having a user interface display property and a choice of a value for that user interface display property based on the target device” as now claimed. In Schwartz, markup language pages are converted directly into a compact data format. Neither the markup language

pages nor the compact data format in Schwartz contain any user interface properties with choices that correspond to different target device classes as now claimed.

Schwartz does not teach or disclose choices of properties as now claimed. The Examiner cited col. 15, line 65 to col. 16, line 7 as anticipating this limitation of claim 13. However, that section in Schwartz is directed to choices made by a user for additional content and is unrelated to evaluating user interface display properties of content as now claimed. Applicants point out that the choices made in the claimed invention are automatically made based on the device class and are not user selections as described by Schwartz.

For at least the reasons given above, Applicants believe that claim 1 as amended is not anticipated by Schwartz. Therefore, Applicants respectfully request the Examiner withdraw his rejection and find claim 13, and its dependent claims 14-21, in a condition for allowance.

### **Conclusion**


It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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